Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (canceled)

2. (currently amended) The admission control facility of claim 51, wherein the first type of packet includes ~~packets include at least one~~ time delay ~~packet~~ packets and the second type of packet includes at least one control packet used to at least one of establish a communication session, initiate a data transfer or set up a path.

3. (previously presented) The admission control facility of claim 51, wherein the received responses include acknowledgements to the packets.

4. (currently amended) The admission control facility of claim 51, further comprising:

a timer configured to track time after the first type of packets are transmitted.

5. (currently amended) The admission control facility of claim 4, wherein the analyzer proceeds to determine whether to initiate the data transfer if the timer indicates a predetermined elapsed time prior to receiving responses for all of the first type of packets.

6. (canceled)

7. (previously presented) The admission control facility of claim 51, wherein the analyzer determines a mean of the response times, and determines whether to initiate the data transfer based on a comparison of the mean of the response times to the threshold.

8. (previously presented) The admission control facility of claim 51, wherein the analyzer determines a variance of the response times, and determines whether to initiate the data transfer based on a comparison of the variance of the response times to the threshold.

9. (canceled)

10. (currently amended) The admission control facility of claim 51, wherein the analyzer analyzes response times based on packets transmitted on multiple label-switched paths.

11. (canceled)

12. (currently amended) The admission control facility of claim 10, wherein the analyzer selects one of the multiple label-switched paths based on the analysis of the response times.

13-16. (canceled)

17. (previously presented) The method of claim 52, wherein the responses include acknowledgements to the packets.

18. (previously presented) The method of claim 52, further including:

tracking time after the packets are transmitted.

19. (currently amended) The method of claim 18, further including:

proceeding with determining whether to initiate the data transfer if the time reaches a threshold prior to receiving responses to all of the first type of packets.

20. (previously presented) The method of claim 52, where determining the mean or the variance of the response times includes:

determining both the mean and the variance of the response times.

21. (previously presented) The method of claim 52, where determining the mean or the variance of the response times includes:

determining only the mean of the response times.

22. (previously presented) The method of claim 52, where determining the mean or the variance of the response times includes:

determining only the variance of the response times.

23. (canceled)

24. (currently amended) The method of claim 52, where transmitting the plurality of reflector packets toward the destination includes transmitting a group of the packets on each of ~~multiple~~ the plurality of label-switched paths;

where receiving the responses includes receiving the responses on the ~~multiple~~ label-switched paths; and

where determining the response times includes determining the response times associated with the received responses on the ~~multiple~~ label-switched paths.

25. (canceled)

26. (currently amended) The method of claim 24, further including:

selecting one of the ~~multiple~~ label-switched paths based on a comparison of the mean or the variance of the response times to the threshold.

27. (previously presented) The method of claim 52, wherein the method is performed partially in a client and partially in an admission control facility.

28-42. (canceled)

43. (currently amended) A method, comprising:

establishing a plurality of paths in a network;

sending a plurality of reflector packets on each of the plurality of paths, ~~where at least two of the packets differ in length or data type~~ where the plurality of reflector packets include a first type of packet used to determine timing-related information and a second type of packet used to perform at least one control-related function;

receiving acknowledgments on each of the plurality of paths in response to the packets;

analyzing response times associated with the acknowledgments to the first type of packets;

analyzing responses to the second type of packets to determine a state of network resources;

selecting one of the plurality of paths based on a comparison of the response times associated with the acknowledgments to a threshold and the state of network resources; and

initiating a data transfer on the selected path.

44. (previously presented) The method of claim 43, further including:

establishing a plurality of label-switched paths as the plurality of paths.

45. (original) The method of claim 43, further including:

timing how long the packets have been sent; and

initiating the analyzing upon the timing indicating a predetermined limit.

46. (currently amended) A method, comprising:

sending a plurality of reflector packets on each of multiple paths in a network, where ~~at least two of the packets differ in data type~~ the reflector packets include a first type of packet used to determine time delay and a second type of packet to perform a control function;

receiving acknowledgments for the first and second types of packets on the multiple paths;

determining a state of a network resource based on a comparison of response times, associated with the acknowledgments to the first type of packets, to a threshold and acknowledgements to the second type of packets;

selecting one of the multiple paths based on the state of the network resource; and

initiating a data transfer on the selected path.

47. (previously presented) The method of claim 46, wherein the determining comprises:

determining a mean of the response times, and

determining the state of the network resource based on a comparison of the mean of the response times to the threshold.

48. (previously presented) The method of claim 46, wherein the determining comprises:

determining a variance of the response times, and

determining the state of the network resource based on a comparison of the variance of the response times to the threshold.

49. (previously presented) The method of claim 43, where selecting one of the plurality of paths comprises:

determining a mean of the response times, and

selecting one of the plurality of paths based on a comparison of the mean of the response times to the threshold.

50. (previously presented) The method of claim 43, where selecting one of the plurality of paths comprises:

determining a variance of the response times, and

selecting one of the plurality of paths based on a comparison of the mean of the response times to the threshold.

51. (currently amended) An admission control facility, comprising:

an interface element to receive a request to initiate a data transfer from a network client;

a data transfer element to:

transmit a plurality of reflector packets to a destination of the data transfer or another admission control facility associated with the destination of the data transfer, where ~~at least two of the packets differ in length or data type~~ the reflector packets include a first type of packet used to determine time delay and a second type of packet to perform a control function, and

receive responses to the packets; and

an analyzer to:

determine response times associated with ~~the received~~ responses to the first type of packets,

determine a state of network resources based on responses to the second type of packets, and

determine whether to initiate the data transfer based on ~~a comparison of~~ the response times ~~to a threshold~~ and the state of network resources;

where the data transfer element initiates the data transfer when instructed by the analyzer.

52. (currently amended) A method, comprising:

receiving a request to initiate a data transfer from a network client;

transmitting a plurality of reflector packets toward a destination via a plurality of label-switched paths, where at least two of the packets differ in ~~a length or~~ a type of data;

receiving responses to the packets;

determining response times associated with ~~the~~ received responses to a first type of data packet;

determining a mean or a variance of the response times;

determining a state of network resources based on responses to a second type of data packet;

determining whether to initiate the data transfer based on a comparison of the mean or the variance of the response times to a threshold and the state of network resources; and

initiating the data transfer when it is determined that the data transfer should be initiated.

53. (new) The method of claim 43, where the second type of packet comprises a control packet used to establish a session, initiate a data transfer or set up a path.

54. (new) The method of claim 46, where the control function comprises at least one of establishing a session, initiating a data transfer or setting up a path.